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ATTORNEYS FOR JOSEPH DUANE FOLKERTS

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

UNITED STATES OF AMERICA,	)	Case No. 3:18-CR-00319-JO-07
	)	
Plaintiff,	)	
	)	DEFENDANT'S MOTION TO CONTINUE
vs.	)	APRIL 13, 2020 TRIAL DATE AND
	)	WAIVER OF SPEEDY TRIAL RIGHTS.
JOSEPH DUANE FOLKERTS,	)	
	)	
Defendant.	)	
	)	

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COMES NOW Defendant, Joseph Duane Folkerts, by and through his CJA-appointed attorneys, Andrew M. Kohlmetz and Laurie Bender, and hereby moves this court for an Order continuing the presently set April 13, 2020 trial for a period of no less than 120 days to a date convenient to the Court and parties herein.

I have discussed the proposed continuance with the defendant who is in custody. He agrees with the need for and consents to the proposed continuance. I have also advised the

DEFENDANT'S MOTION TO CONTINUE APRIL 13, 2020 TRIAL DATE AND WAIVER OF SPEEDY TRIAL  
RIGHTS - 1

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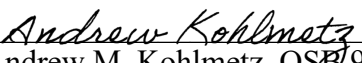
defendant of his rights under the Speedy Trial Act. He agrees that the period of time between the current and next scheduled trial date will be excluded from any Speedy Trial Act calculations. The United States, by and through AUSA Leah Bolstad does not object to this Motion provided that it is granted to all remaining defendants set for trial and does not result in the severance of any defendant for trial.

Codefendant Kenneth Hause, by and through counsel Todd Bofferding, does not object to this Motion and has filed his own Motion to Continue the current trial date. Codefendant Chad Erickson, by and through counsel Richard Wolf, does not object to this Motion, and has indicated he will be filing his own Motion to Continue the current trial date. Codefendant Ryan Negrinelli, by and through counsel Matthew Schindler, does not object to this Motion and consents to a trial date in the Fall of 2020.

Codefendant Mark Dencklau, by and through counsel Erik Ekklund objects to this Motion.

The grounds for this request are that: due to the volume and complex nature of the discovery provided (including a variety of forms of electronically stored information), the complexity of the factual and legal issues involved, the continued need for defense fact investigation, the ongoing need for defense consultation with various expert witnesses, and other issues more fully outlined in the accompanying Declaration of Counsel filed ex-parte and under seal, despite diligent efforts in preparing the case, the defense cannot be ready for trial as currently scheduled.

RESPECTFULLY SUBMITTED this 22<sup>nd</sup> day of January, 2020.

  
Andrew M. Kohlmetz, OSB 955418  
Attorney for Defendant Folkerts